

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
for
MONTGOMERY COUNTY

Stella B. Werner Council Office Building
100 Maryland Avenue, Room 200
Rockville, Maryland 20850
<http://www.montgomerycountymd.gov/ozah/index.html>
Phone: (240) 777-6660; Fax (240) 777-6665

CASE NO. CU 17-10

PETITION OF DAMARIS TOVAR AND JUAN CARLOS GARZON

NOTICE OF HEARING

Please take notice that the Office of Zoning and Administrative Hearings for Montgomery County, Maryland, will hold a public hearing on the above application in the Stella B. Werner Council Office Building, Second Floor, Davidson Memorial Hearing Room, at 100 Maryland Avenue, Rockville, Maryland, on **Monday, March 20, 2017, at 9:30 a.m.** The Applicants seek approval of a conditional use under Section 59-3.4.4.D of the Zoning Ordinance to permit a *Group Daycare* for up to 12 children.

The subject property is Lot 9 in the Ayrlawn Subdivision, located at 6015 Johnson Avenue, Bethesda, Maryland 20817, in the R-60 Zone (Tax Account Number 07-00580988).

The Applicant seeks a waiver of up to three spaces from the required number of parking spaces. The Group Daycare as proposed requires five (5) parking spaces, two for the dwelling and one for each non-resident employee.

The entire file may be reviewed in the Office of Zoning and Administrative Hearings, Monday through Friday, between the hours of 9:00 a.m. and 4:00 p.m., prior to the date of the hearing.

Persons or associations represented by counsel or intending to appear in organized opposition to an application must also file a pre-hearing statement containing the following information, no later than twenty days before the date of hearing:

- a statement of the grounds for opposing the application;
- copies of all reports intended to be introduced at the hearing;
- the names of all experts expected to testify at the hearing, their resumes, and a summary of expert testimony which will be proffered at the hearing;
- identity of all other witnesses who will testify; and
- estimated time required for presentation.

In compliance with Maryland requirements regarding the practice of law, groups or associations must have counsel unless their witnesses are members of the group or association who will offer testimony in narrative form (*i.e.*, there is no need for an attorney to conduct a direct examination).

EXHIBIT NO. _____
APPLICATION NO. CU 17-10

Continued

Nothing in this notice is intended to limit the rights of individual members of the public to testify during the hearing or to submit pertinent written materials at any time while the record remains open for that purpose.

In addition to all other requirements, any party represented by counsel must submit electronic copies of pre-hearing statements, expert reports and proposed exhibits at least 20 days before the hearing. Amended electronic copies must also be submitted of any exhibits that are modified during or after the hearing. Electronic copies must be submitted on compact discs, in Microsoft WORD format for text documents, in PDF format for plans and other non-text documents, and in JPG or PDF format for photographs.

If you need services to participate in a public hearing, please contact us as far in advance as possible by calling 240-777-6660 (TTY 240-777-7914) or emailing us at ozah@montgomerycountymd.gov. This document is available in alternative format such as large print upon request, via the same phone numbers and email address.

Notices forwarded this 13th day of February, 2017, to:

✓ Damaris Tovar, Applicant
✓ Juan Carlos Garzon, Applicant
✓ Charles Frederick, Esquire, Associate County Attorney
✓ Diane Schwartz-Jones, Director, Department of Permitting Services
✓ Greg Nichols, Manager, SPES at DPS
✓ Gwen Wright, Director, Planning Department
✓ Carl Eggleston, Child Care Administration
✓ Washington Suburban Sanitary Commission
✓ State Highway Administration
✓ Barbara Piczak Cox, DPS
✓ Montgomery County Public Schools
Abutting and Confronting Property Owners
(or a condominium's council of unit owners, if applicable)
Civic and Homeowners' Associations within a half mile of the site
Any Municipality within a half mile of the site

Office of Zoning and Administrative Hearings

by: 

Lynn A. Robeson
Hearing Examiner